

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

KERMIT IRIZARRY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/15/2024

21-cr-60 (MKV)

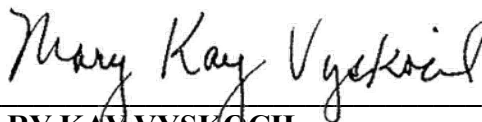
ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court construes the letter below, which Mr. Irizarry filed in a different case, as a request for relief in the above-captioned case.

SO ORDERED.

Date: April 15, 2024
New York, NY



MARY KAY VYSKOCIL
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUNITED STATES OF AMERICA,
Respondent,

CASE NO. 1:17-cr-DDM42-RA

v.

KERNIT IRIZZARY,
Movant) MOTION FOR THE
) APPOINTMENT OF
) COUNSEL

RECEIVED

2024 APR -2 PM 4:02

CLERK'S OFFICE
U.S. COURT OF APPEALS

COMES NOW, the Movant, Kermit Irizzary, pro se, does move this Honorable Court to APPOINT him Counsel to pursue his filed Pro Se Motion for Reduction in Sentence (RIS), as set forth in 18 U.S.C. Section 3582(c)(2) of the Compassionate Release provision, does state the following in support of this Motion:

1) The Movant submits that Amendment 821 of the United States Sentencing Guidelines (USSG), specifically subsections 4A1.1 and 4C1.1, does grant authority to district courts to grant defendants motions for retroactive reductions in sentence pursuant to 18 U.S.C. Section 3582(c)(2).

2) The Movant has filed a pro se Motion for a reduction in his sentence under Amendment 821 and Section 3582(c)(2), after exhausting all of his administrative remedies.

(2)

3) The Movant respectfully request that the Federal Defender Program be appointed to review the files of his case to see if he is eligible for relief, or if a conflict of interest exist that precludes the Federal Defender Program from representing the Movant, he respectfully ask this Court to consider appointing a attorney who's a member of the Criminal Justice Act panel in this district.

4) In granting appointment of counsel, the Movant request that this Court ORDER the United States Probation Office to provide appointed counsel a copy of the Presentence Report and Statement of Reasons for Movant's case, plus a comparison of the Movant's initial sentencing guidelines calculations and the amended guidelines calculations, so that counsel will have the information needed to file his pleadings.

5) The Movant is serving a federal prison sentence and is indigent and cannot afford to hire/retain private counsel for this matter.

WHEREFORE, the Movant prays that this Honorable Court GRANT this Motion for Appointment of Counsel, and any other relief it deems appropriate and just.

Respectfully Submitted,

(3)

MARCH 20, 2024.

Date

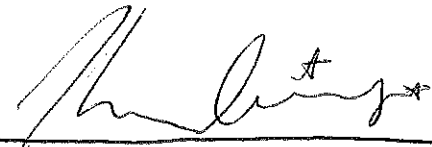


Kermit Irizzary
Reg. No. 79027-054
Federal Corr. Complex
USP Coleman 1
P.O. Box 1033
Coleman, FL 33521

Mouant - Pro Se

CERTIFICATE OF SERVICE

On the 20TH day of MARCH, 2024, the undersigned, by way of the "Prison Mailbox Rule", did serve the following document: Appointment of Counsel Motion, to the Clerk of Court, by placing a copy, properly addressed and postage pre-paid, in the U.S. mail.



Kermit Irizzary

Kenneth Irizarry
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US MAIL

Clerk of Court
United States District Court
Southern District of New York
40 Foley Square

New York NY 10007
10007-1507-0058

